

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

**FEDERAL RESERVE BANK OF SAN
FRANCISCO,**
Plaintiff

Civil No. 23-01034 (GMM)

v.

**OTO ANALYTICS, LLC; BENWORTH
CAPITAL PARTNERS PR, LLC;
BENWORTH CAPITAL PARTNERS, LLC;
BERNARDO NAVARRO and CLAUDIA
NAVARRO,**
Defendants

JOINT STATUS REPORT

Pursuant to this Court’s September 3, 2024 Order (ECF No. 161), Plaintiff Federal Reserve Bank of San Francisco (“**Reserve Bank**”), and Defendants Benworth Capital Partners PR, LLC, Benworth Capital Partners, LLC, Bernardo Navarro, and Claudia Navarro (collectively, “**Defendants**”; together with Plaintiffs, the “**Parties**”), through their undersigned counsel, respectfully submit this Joint Status Report.

Since the Parties’ February 3, 2025 Joint Status Report (ECF No. 203), the Parties have briefed motion practice and continue to conduct discovery as follows:

- **Joint Motion Requesting Modification of the Case Management Order (ECF No. 216) and Other Motions *Sub Judice*.** On March 4, 2025, the Reserve Bank and Defendants respectfully requested that the Court modify the operative court deadlines as set forth in the table below. The Parties submit that these modifications are necessary for the reasons set forth in the motion and, in particular, because several key discovery issues remain unresolved, including the Reserve Bank’s two *Motions to Compel*, which have been fully briefed and are pending before the Court (ECF Nos. 184, 188, 193 & ECF Nos. 200, 206, 209), and the Parties’ ongoing negotiations regarding supplemental productions, as well as Defendants’ *Motion to Dismiss*, which has been fully briefed and is pending before the Court (ECF Nos. 169–70, 177, 180). On March 5, 2025, the Court entered an order approving the joint motion (ECF No. 219).

Event	Current Deadline	Proposed Deadline
Substantial completion of document discovery	January 31, 2025	N/A
Completion of fact discovery	March 7, 2025	May 9, 2025
Deadline for Parties to disclose experts and expert witness summaries as required by Fed. R. Civ. P. 26(a)(2)	March 17, 2025	June 16, 2025
Deadline for Parties to disclose expert reports as required by Fed. R. Civ. P. 26(a)(2)(B)	April 28, 2025	July 28, 2025
Deadline for Parties to submit rebuttal expert reports	May 28, 2025	August 26, 2025
Conclusion of all discovery	June 16, 2025	September 15, 2025
Deadline to file dispositive motions	July 16, 2025	October 14, 2025
Deadline to file oppositions to dispositive motions	July 31, 2025	October 29, 2025

- **Reserve Bank's Document Requests.** The Parties continue to meet and confer, including via video conference on February 12, 2025, regarding the Reserve Bank's requests. As stated in the February 3, 2025 Joint Status Report, the Reserve Bank continues to have concerns regarding several issues and reserves the right to seek the Court's intervention, including:
 - **Financial Statements.** Several of the Reserve Bank's requests call for Defendants' financial statements and related information, including requests for which the Reserve Bank provided its most recent search term counterproposal to Defendants on February 11, 2025. On February 26, 2025, Defendants offered to report by March 14, 2025 the results of a proposed sampling review based on that counterproposal and others for which the Parties have not agreed. At the February 12, 2025 meet-and-confer, Defendants represented that they would begin reviewing on February 14, 2025 the Accounting Dropbox known to contain financial information. As of February 26, 2025, Defendants represented that non-privileged, responsive documents stored in the Accounting Dropbox would be provided by March 14, 2025. The Parties continue to meet and confer regarding this topic.
 - **Mobile Data.** On January 23, 2025, Defendants stated that mobile data has been preserved but has not been collected for any custodians and stated that Defendants intend to collect and review for responsiveness text messages between (1) Mr. Navarro and certain Benworth employees and (2) Mrs. Navarro and certain Benworth employees. On February 13, 2025, the Reserve Bank proposed a representation regarding Mr. Navarro's and Ms. Navarro's use of phones that

remains under review by Defendants. The Parties continue to meet and confer regarding this topic.

- **Defendants' Document Requests.** The Parties continue to meet and confer, including via video conference on February 12, 2025, regarding Defendants' requests and the Reserve Bank's responses and objections. The Reserve Bank continues to search for responsive documents based on ongoing discussions with the Defendants, including Defendants' proposed search terms provided on February 11, 2025.

Dated: March 5, 2025

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CERTIFICATE OF SERVICE

The undersigned certifies that on March 5, 2025, the foregoing document was filed with the Clerk of the Court using CM/ECF, which sent notice to all parties receiving notifications through the CM/ECF system.

Dated: March 5, 2025

By: /s/ Aníbal A. Román Medina
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